

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

BASIC MEDICAL CARE PLUS, INC.,

Plaintiff,

v.

**NORTH CAROLINA MUTUAL LIFE
INSURANCE COMPANY,**

Defendant.

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1:03CV00269

J-U-D-G-M-E-N-T

For the reasons set forth in the Memorandum Opinion and Order filed contemporaneously with this Judgment,

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff Basic Medical Care Plus, Inc. be granted summary judgment on its breach of contract claim and recover from Defendant North Carolina Mutual Life Insurance Company nominal damages in the amount of \$1.00. **IT IS FURTHER ORDERED AND ADJUDGED** that all remaining claims and counterclaims in this matter be, and the same hereby are dismissed with prejudice. The costs of the action follow the judgment in favor of Basic Medical.

/s/ P. Trevor Sharp

United States Magistrate Judge

Date: September 6, 2005